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EXAMINER

ARSHAD, UMAR

ART UNIT	PAPER NUMBER
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2174

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8

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

# Office Action Summary

Application No.

09/757,006

Applicant(s)

GEIER ET AL.

Examiner

Umar Arshad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: \_\_\_\_\_

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: figure 1, item 63 (first referred to on page 6, line 15), figure 1, item 64 (first referred to on page 7, line 9), figure 3, item 310 (first referred to on page 8, line 4), figure 4, item 160 (first referred to on page 9, line 15), figure 5, items 40 – 50 (first referred to on page 9, line 19), and figure 5, item 5 (first referred to on page 10, line 30). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “60” has been used to designate both a selectable icon (page 11, line 20) and a selected media file (page 11, line 22). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Applicant is advised that should claims 22 or 23 be found allowable, claims 32,33 and 37 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after

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allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim 24 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 24 places a limitation that the removable storage device of claim 23 is a compact disc recorder, however claim 23 already has a limitation that the removable storage device is a digital versatile disc recordable; the limitation is inconsistent. Examiner will interpret claim 24 to be dependent on claim 22.

Claims 27, 28, and 38 are objected to because of the following informalities: they are dependent on non-existent claim 26. Examiner assumes they are dependent on claim 6. If claim 26 was mistakenly omitted, please include it in a complete set of claims in the amendment. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 15, 42 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 15 recites the limitation "said title" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 42 recites the limitation "said removable storage medium" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 43 recites the limitation "said removable storage medium" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 3, 4, 5, 10, 11, 12, 18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Straub et al., U.S. Patent No. 6,091,411.

As per claim 1 Straub et al. teaches a computer readable medium containing media creating application code which implements the following procedures:

generating in a user interface an application window having a window frame, said window frame defining a pane (see Straub et al., figure 6, item 160);

displaying a theme in said pane (see Straub et al., figure 6, items 170 and 172);

displaying a plurality of buttons on said frame (see Straub et al., column 3, lines 45 – 52), and figure 6, items 162 – 165); and

displaying a status indicator on said frame (see Straub et al., column 14, lines 25 – 36).

As per claim 2, which is dependent on claim 1, Straub et al. teaches the method of claim 1 (see rejection above). Straub et al. further teaches the computer readable medium comprising adding selected ones of media files to said media creating application by dragging and dropping through said user interface from a second application window, wherein said media file is displayed as a selectable icon within said pane (see Straub et al., column 14, lines 11 – 19; by operating similarly to the folder views of the Windows 95 operating system shell, it is inherent that the drag and drop capability of the icon pane taught by Straub et al. can include media files).

As per claim 3, which is dependent on claim 2, Straub et al. teaches the method of claim 2 (see rejection above). Straub et al. further teaches the computer readable medium where the shape of said selectable icon is dependent upon said theme (see Straub et al., column 2, lines 65 – 67, and column 3, lines 1 – 6).

As per claim 4, which is dependent on claim 2, Straub et al. teaches the method of claim 2 (see rejection above). Straub et al. further teaches the computer readable medium comprising displaying a title for each respective one of said media files displayed as selectable icons in said pane (see Straub et al., column 14, lines 11 – 19; it is inherent that each of the icons representing files displayed therein have a title displayed if they can be renamed).

As per claim 5, which is dependent on claim 4, Straub et al. teaches the method of claim 4 (see rejection above). Straub et al. further teaches the computer readable medium wherein said selectable icon comprises a graphic image of said media file (see Straub et al., column 1, lines 23 – 26).

As per claim 10, which is dependent on claim 1, Straub et al. teaches the method of claim 1 (see rejection above). Straub et al. further teaches the computer readable medium wherein selecting one of said plurality of buttons through said user interface generates a second application window having a window frame, said window frame defining a second pane (see Straub et al., column 15, lines 7 – 14).

As per claim 11, which is dependent on claim 10, Straub et al. teaches the method of claim 10 (see rejection above). Straub et al. further teaches the computer readable medium wherein a plurality of said themes are displayed within said second pane, said themes being selectable (see Straub et al., column 7, lines 59 – 67, column 8, lines 1 – 9, and column 12, lines 8 – 14; as described in column 12, lines 8 – 14, it is inherent that any program group such as the control panel program group containing the theme switcher applet as taught by Straub et al. in column 7, lines 59 – 67 and column 8, lines 1 – 9 can be displayed and launched in the icon pane taught by Straub et al.).

As per claim 12, which is dependent on claim 11, Straub et al. teaches the method of claim 11 (see rejection above). Straub et al. further teaches the computer readable medium wherein said selecting theme through said user interface displays said selected theme within said pane and said shape of said selectable icon (see Straub

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et al. column 8, lines 9 – 13, column 2, lines 65 – 67, and column 3, lines 1 – 6; it is inherent that when the resources of the theme are switched to another theme the media source icons can be changed).

As per claim 18, which is dependent on claim 2, Straub et al. teaches the method of claim 2 (see rejection above). Straub et al. further teaches the computer readable medium further comprising storing said media file on a removable storage medium (see Straub et al., column 5, lines 31 – 34; it is inherent that the media file is stored in the removable storage medium as taught by Straub et al.).

As per claim 20, which is dependent on claim 18, Straub et al. teaches the method of claim 18 (see rejection above). Straub et al. further teaches the computer readable medium wherein said removable storage medium is a compact disk (see Straub et al., Column 5, lines 31 – 34; it is inherent that the media file is stored in the CD-ROM removable storage medium as taught by Straub et al.).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 8, 9, 15, 16, 17, 19, 22, 28, 32, 36, 37, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al., U.S. Patent No. 6,091,411 in view of Crow et al., U.S. Patent No. 6,262,724.



As per claim 6, which is dependent on claim 1, Straub et al. teaches the method of claim 1 (see rejection above). Straub et al. does not teach a computer readable medium comprising adding selected ones of media files to said media creating application by selecting one of said buttons displayed on said frame and said selected media file displayed as a selectable icon within said pane. Crow et al. teaches a computer readable medium comprising adding selected ones of media files to said media creating application by selecting one of said buttons displayed on said frame and said selected media file displayed as a selectable icon within said pane (see Crow et al., column 11, lines 29 – 38, column 12, lines 29 – 59 and figure 4, items 248, 214, and 230; when the user clicks on the drawer control button a drawer displaying media source icons is displayed). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the media source icons taught by Crow et al. to provide suitable functionality and flexibility for playback and/or other processing of time-based media.

As per claim 7, which is dependent on claim 6, Straub et al. and Crow et al. teach the method of claim 6 (see rejection above). Straub et al. does not teach the computer readable medium wherein selecting said selectable icon through said user interface toggles said window between said pane and selectable icon. Crow et al. teaches the computer readable medium wherein selecting said selectable icon through said user interface toggles said window between said pane and selectable icon (see Crow et al., column 12, lines 59 – 64; when the user activates the media source icon in the favorite/channel pane, the media file will be displayed in the display window pane). It

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would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the window control taught by Crow et al. to provide easier functionality and flexibility for playback and/or other processing of time-based media.

As per claim 8, which is dependent on claim 6, Straub et al. and Crow et al. teach the method of claim 6 (see rejection above). Straub et al. further teaches the computer readable medium further comprising adding selected ones of files to said media files by dragging and dropping through said user interface from another application window (see Straub et al., column 12, lines 10 – 14).

As per claim 9, which is dependent on claim 3, Straub et al. teaches the method of claim 3 (see rejection above). Straub et al. does not teach a computer readable medium wherein selection of said selectable icon initiates playback of said media file. Crow et al. teaches wherein selection of a selectable icon initiates playback of a media file (see Crow et al., column 12, lines 59 – 64). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the playback functionality taught by Crow et al. to provide suitable functionality and flexibility for playback and/or other processing of time-base media.

As per claim 15, which is dependent on claim 9, Straub et al. and Crow et al. teach the method of claim 9 (see rejection above). Straub et al. further teaches the computer readable medium wherein said title of said media file is displayed when said media file is dropped onto said pane (see Straub et al., column 14, lines 11 – 19; it is

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inherent that each of the icons representing files displayed therein have a title displayed if they can be renamed).

As per claim 16, which is dependent on claim 9, Straub et al. and Crow et al. teach the method of claim 9 (see rejection above). Straub et al. does not teach the computer readable medium further comprising displaying at least one user selectable slider in association with said playback, said slider controlling at least one parameter of content of said media files. Crow et al. teaches displaying at least one user selectable slider in association with said playback, said slider controlling at least one parameter of content of said media files (see Crow et al., column 17, lines 51 – 54, and figures 8A, items 204, 262, 271 and 274). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the slider control taught by Crow et al. to provide suitable functionality and flexibility for playback and/or other processing of time-base media.

As per claim 17, which is dependent on claim 16, Straub et al. and Crow et al. teach the method of claim 9 (see rejection above). Straub et al. does not teach the computer readable medium wherein movement of said selectable slider displays a representative frame within said media file. Crow et al. teaches the computer readable medium wherein movement of said selectable slider displays a representative frame within said media file (see Crow et al., column 18, lines 38 – 43). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the slider control taught by Crow

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et al. to provide suitable functionality and flexibility for playback and/or other processing of time-base media.

As per claim 19, which is dependent on claim 18, Straub et al. teaches the method of claim 18 (see rejection above). Straub et al. does not teach the computer readable medium wherein said removable storage medium is a digital versatile disc (DVD). Crow et al. teaches the computer readable medium wherein said removable storage medium is a digital versatile disc (see Crow et al., column 7, lines 31 – 39). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the digital versatile disc removable storage medium taught by Crow et al. for increased storage capacity).

As per claim 22, which is dependent on claim 6, Straub et al. and Crow et al. teach the method of claim 6 (see rejection above). Straub et al. further teaches the computer readable medium further comprising storing said media file on a removable storage medium (see Straub et al., column 5, lines 31 – 34; it is inherent that the media file is stored in the removable storage medium as taught by Straub et al.).

As per claim 27, which is dependent on claim 6, it is of the same scope as claim 7 (see rejection above).

As per claim 28, which is dependent on claim 6, Straub et al., and Crow et al. teach the method of claim 6 (see rejection above). Straub et al. further teaches the computer readable medium further comprising adding selected ones of files to said

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media files by dragging and dropping through said user interface from another application window (see Straub et al., column 12, lines 10 – 14).

As per claim 32, it is a duplicate of claim 22, which is taught by Straub et al. and Crow et al. (see rejection above).

As per claim 36, which is dependent on claim 32, Straub et al. and Crow et al. teach the method of claim 32 (see rejection above). Straub et al. further teaches the computer readable medium wherein said removable storage medium comprises a computer readable removable medium (see Straub et al., Column 5, lines 31 – 34; it is inherent that the media file is stored in and read from the CD-ROM removable storage medium as taught by Straub et al.).

As per claim 37, it is a duplicate of claim 22, which is taught by Straub et al. and Crow et al. (see rejection above).

As per claim 41, which is dependent on claim 37, it is of the same scope as claim 36 (see rejection above).

As per claim 42, which is dependent on claim 6, it is of the same scope as claim 36 (see rejection above).

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al. U.S. Patent No. 6,091,411 in view of Johnston, Jr. et al., U.S. Patent No. 5,959,624.

As per claim 13, which is dependent on claim 12, Straub et al. teaches the method of claim 12 (see rejection above). Straub et al. does not teach the computer

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readable medium wherein said theme is user definable. Johnston, Jr. et al. teaches a computer readable medium with a user definable theme (see Johnston, Jr. et al., column 21, lines 10 – 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the user definable theme taught by Johnston, Jr. et al. to allow application designers and application users to have additional flexibility and greater control over the appearance and behavior of desktop objects and individual controls for those objects.

As per claim 14, which is dependent on claim 1, Straub et al. teaches the method of claim 1 (see rejection above). Straub et al. further teaches the computer readable medium wherein said theme comprises backgrounds to be displayed in said pane (see Straub et al., column 7, lines 41 – 47), selectable icon shapes (see Straub et al., column 2, lines 65 – 67 and column 3 lines 1 – 6), and fonts (see Straub et al., column 10, lines 66 – 67 and column 11, lines 1 – 4). Straub et al. does not teach wherein said theme comprises arrangement information for said selectable icons. Johnston, Jr. et al. teaches a theme comprising arrangement information for selectable icons (see Johnston, Jr. et al. figures 2C; the option to choose a “straight grid” arrangement or a “staggered grid” arrangement for icon views is taught). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the theme taught by Johnston, Jr. et al. to allow application designers and application users to have additional flexibility and

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greater control over the appearance and behavior of desktop objects and individual controls for those objects.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al., U.S. Patent No. 6,091,411 in view of Alten, U.S. Patent Application Publication No. US 2002/0005907 A1.

As per claim 21, which is dependent on claim 18, Straub et al. teaches the method of claim 18 (see rejection above). Straub et al. does not teach the computer readable medium further comprising previewing said media file before storing on said computer removable storage medium. Alten teaches previewing media files before storing (see Alten, paragraph 0006). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the computer readable medium taught by Straub et al. with the method taught by Alten to allow users to check the correctness of all media files before storing in a storage medium.

Claims 23, 24, 33, 34, 35, 38, 39, 40 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al., U.S. Patent No. 6,091,411 in view of Crow et al., U.S. Patent No. 6,262,724, further in view of Weidner, U.S. Patent No. 6,205,112.

As per claim 23, which is dependent on claim 22, Straub et al. and Crow et al. teach the method of claim 22 (see rejection above). Straub et al. and Crow et al. do not teach wherein the removable storage medium is a digital versatile disc recordable (DVDR). Weidner teaches a digital versatile disc recordable (see Weidner, column 1,

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line 56). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the system taught by Straub et al. and Crow et al. with the DVD-R taught by Weidner as there are growing demands for the larger amount of storage offered by such optical information recording mediums in view of the recent widespread use of personal computers.

As per claim 24, which is dependent on claim 23, Straub et al., Crow et al., and Weidner teach the method of claim 23 (see rejection above). Straub et al. and Crow et al. do not teach wherein the removable storage medium is a compact disc recordable (CDR). Weidner teaches a compact disc recordable (see Weidner, column 1, line 37). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the system taught by Straub et al. and Crow et al. with the CDR taught by Weidner as there are growing demands for the larger amount of storage offered by such optical information recording mediums in view of the recent widespread use of personal computers.

As per claim 33, it is a duplicate of claim 23, which is taught by Straub et al., Crow et al. and Weidner (see rejection above).

As per claim 34, which is dependent on claim 32, it is of the same scope as claim 24 (see rejection above).

As per claim 35, which is dependent on claim 32, Straub et al. and Crow et al. teach the method of claim 32 (see rejection above). Straub et al. and Crow et al. do not teach the computer readable medium wherein said removable storage medium is a compact disc rewritable (CDRW). Weidner teaches a compact disc rewritable (see



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Weidner, column 1, line 38. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the system taught by Straub et al. and Crow et al. with the compact disc rewritable taught by Weidner as there are growing demands for the larger amount of storage offered by such optical information recording mediums in view of the recent widespread use of personal computer.

As per claim 38, which is dependent on claim 37, it is of the same scope as claim 23 (see rejection above).

As per claim 39, which is dependent on claim 37, it is the same scope as claim 24 (see rejection above).

As per claim 40, which is dependent on claim 37, it is of the same scope as claim 35 (see rejection above).

As per claim 43, which is dependent on claim 6, Straub et al. and Crow et al. teach the method of claim 6. Straub et al. and Crow et al. do not teach the computer readable medium wherein said removable storage medium is a compact disc rewritable (CDRW). Weidner teaches a compact disc rewritable (see Weidner, column 1, line 38. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the system taught by Straub et al. and Crow et al. with the compact disc rewritable taught by Weidner as there are growing demands for the larger amount of storage offered by such optical information recording mediums in view of the recent widespread use of personal computer.

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Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al., U.S. Patent No. 6,091,411 in view of Crow et al., U.S. Patent No. 6,262,724 further in view of Alten, U.S. Patent Application Publication No. US 2002/0005907 A1.

As per claim 25, which is dependent on claim 22, Straub et al. and Crow et al. teach the method of claim 22 (see rejection above). Straub et al. and Crow et al. do not teach the computer readable medium further comprising previewing said media file before storing on said computer removable storage medium. Alten teaches previewing media files before storing (see Alten, paragraph 0006). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the method taught by Straub et al. and Crow et al. with the method taught by Alten to allow users to check the correctness of all media files before storing in a storage medium.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al., U.S. Patent No. 6,091,411 in view of Crow et al., U.S. Patent No. 6,262,724 further in view of Kinney et al., U.S. Patent No. 5,808,662.

As per claim 29, which is dependent on claim 9, Straub et al. and Crow et al. teach the method of claim 9 (see rejection above). Straub et al. and Crow et al. do not teach the computer readable medium further comprising generating in a user interface a third window having a window frame defining a pane and a plurality of selectable buttons for control of said media playback device. Kinney et al. teaches a media playback device with a window having a window frame defining a pane and a plurality of selectable buttons for control of said media playback device (see Kinney et al., column

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4, lines 64 – 67, column 5, lines 1 – 30, and figure 3, item 330). It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the system taught by Straub et al. and Crow et al. with the method taught by Kinney et al. to create an independent and movable media control window to allow for better control of visual clutter.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al., U.S. Patent No. 6,091,411 in view of Bates, U.S. Patent No. 5,371,846.

As per claim 30, which is dependent on claim 10, Straub et al. teaches the method of claim 10 (see rejection above). Straub et al. does not teach the computer readable medium further comprising a moveable slider in association with said second window for controlling at least one parameter for selecting said themes. Bates teaches a moveable slider (see Bates, abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the system taught by Straub et al. with the moveable slider taught by Bates to allow for easier user interaction and control over at least one parameter for selecting a theme.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gudmundson et al., U.S. Patent No. 5,680,619 in view of Keller et al., U.S. Patent No. 6,172,948.

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As per claim 44, Gudmundson et al. teaches a graphical user interface for displaying a window having a frame, a pane, and at least one selectable button (see Gudmundson et al., figure 5, item 70);

dragging and dropping a media file onto said pane (see Gudmundson, column 23, lines 36 – 44, and column 26, lines 40 – 47);

and previewing said media file by selecting a preview button (see Gudmundson, figure 5, item 754c and column 23, lines 61 - 64).

Gudmundson et al. does not teach burning a DVD by selecting a button. Keller et al. teaches burning a DVD by selecting a button (see Keller et al., figure 7, item 59, column 13, lines 66 – 67, and column 14, lines 1 – 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the method of Gudmundson et al. with the method of Keller et al. to allow for storage of media files on a DVD, as it can store larger amounts of data.

As per claim 45, which is dependent on claim 44, Gudmundson et al. and Keller et al. teach the method of claim 44 (see rejection above). Gudmundson et al. further teaches adding at least one slideshow by selecting a button whereby an icon is displayed on said pane and images are added by dragging and dropping images into said slideshow (see Gudmundson et al., column 23, lines 36 – 44; the Asset Palette as taught by Gudmundson et al. displays the different media in the Asset Manager database and more media can be added by dragging and dropping into the Asset Palette).

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As per claim 46, which is dependent on claim 45, Gudmundson et al. and Keller et al. teach the method of claim 46 (see rejection above). Gudmundson et al. further teaches adding files by selecting a button whereby a icon is displayed on said pane and files can be dragged and dropped onto said icon (see Gudmundson et al., figure 4, items 302e, 306, 307, 309, and column 23, lines 21 – 34; the user selects the button 302e and thus expands the structural view under icon 307 and then drags and drops media 309 into another icon 306).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Usami, U.S. Patent Application Publication No. US 2001/0005536 teaches an optical information recording medium and method of manufacturing same. Barnard, U.S. Patent No. 5,680,323 teaches a multimedia player.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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